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February 21, 2023

VIA ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Greco v. City of New York, et al.
Docket No. 22 Civ. 5109 (FB)(VMS)

Dear Judge Scanlon:

I am an Assistant Corporation Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants in the above-captioned matter. I write today on behalf of both parties pursuant to the Court's February 10, 2023 Order that the parties file a joint letter as to whether discovery should proceed or be stayed while the motion to dismiss is pending. The parties respectfully request that discovery be stayed while Defendants' motion to dismiss is pending.

Pursuant to Rule 26(c), "a district court may stay discovery during the pendency of a motion to dismiss for 'good cause shown.'" *Chesney v. Valley Stream Union Free Sch. Dist. No. 24*, 236 F.R.D. 113, 115 (E.D.N.Y. 2006). There is good cause for issuing a stay in this case because, if granted, Defendants' motion will be fully dispositive, and it is Defendants' position that they have a strong basis for dismissing Plaintiff's claims as a matter of law. *See Spencer Trask Software & Info. Servs. v. RPost Int'l*, 206 F.R.D. 367, 368 (S.D.N.Y. 2002)(granting stay of discovery where "defendants do appear to have substantial arguments for dismissal of many, if not all, of the claims asserted in this lawsuit"). Both parties will thus be spared the time and expense of conducting costly discovery on Plaintiff's claims if Defendants' motion is fully granted.

As such, the parties respectfully request a stay of discovery pursuant to Rule 26(c) during the pendency of Defendants' motion. The parties thank the Court for its attention to this matter.

Sincerely,

Andrea O'Connor
Assistant Corporation Counsel

cc: Plaintiff's Counsel (via ECF)